



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

September 8, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
WINDING WAY ROAD AND DRAIN EMERGENCY REPAIR
SUPERVISORIAL DISTRICT 3
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU:**

1. Find that this project is statutorily exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications for Winding Way Road and Drain Emergency Repair, in the City of Malibu (3), at an estimated cost between \$60,000 and \$90,000.
3. Call for bids to be received on October 18, 2005.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and to seal and return the plans and specifications to Public Works for filing.

5. Authorize the Director of Public Works or his designee to award and execute a contract with the lowest responsible and responsive bidder within or less than the estimated construction cost and approve the Faithful Performance and Labor and Materials Bonds submitted by the contractor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action involves contracting for the repair of approximately 140 feet of undermined roadway and replacement of a drainage structure that were damaged during the 2005 storms.

Delegate to the Director of Public Works or his designee the authority to award and execute the construction contract allows us to expedite the contracting process and obtain the contractor to repair the roadway as soon as possible.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will provide the residents in the area with a safe and improved roadway.

FISCAL IMPACT/FINANCING

The estimated construction cost is in the range of \$60,000 to \$90,000.

The District is seeking reimbursement for a portion of the cost of this project under the Federal and State Disaster Assistance Programs. Sufficient funds to cover the cost of this project are included in the Accumulative Capital Outlay Fund of Waterworks District No. 29, Malibu, for the Fiscal Year 2005-06.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their actions. This project is statutorily exempt pursuant to Section 15269 of the California Environmental Quality Act Guidelines.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of our program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

The project specifications contain provisions (1) requiring the contractor to comply with the County's Child Support Compliance Program, (2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, (3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program, and (4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project is to be completed in 40 working days. It is estimated that the work will start in January and be completed in March 2006. Local residents and businesses will be informed that traffic and local access will be mildly disrupted during the construction.

CONCLUSION

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

SS:er
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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

WINDING WAY ROAD AND DRAIN EMERGENCY REPAIR
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works
Construction Division

PUBLISHING

In accordance with Section 20392 of the Public Contract Code:

Publish: At least ten consecutive times, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two consecutive times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in four weeks.

(First advertisement to be published no later than September 24, 2005)

NOTICE INVITING BIDS

Sealed Bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for roadway reconstruction including overexcavation and construction of unclassified fill embankment, asphalt concrete pavement on base material, Portland Cement Concrete v-ditch, and concreted riprap under Project ID No. WWD2900037, Winding Way Road and Drain Emergency Repair, in the City of Malibu.

The bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, October 18, 2005. The Bids will then be publicly opened and read in Conference Room A or at the location posted in the main lobby.

The Work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The Work is estimated to cost between \$60,000 and \$90,000 and shall be completed in 40 working days. The Work requires a California Class A or C12 contractor's license. Prebid questions regarding the Plans and Specifications should be directed to Ms. Sumitha Shival at (626) 458-3159.

The Bids must be submitted on the Proposal forms included in the Bidder's package of the Contract Documents, which may be purchased for \$15, if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for \$19, if mailed, which includes postage and handling.

Each Bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the Bid to guarantee that the Bidder will enter into the Contract if it is awarded to him.

All persons performing the Work shall be paid not less than the General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works. Furthermore, minimum wage rates for this Project as predetermined by the Secretary of Labor (Federal) are set forth in the Special Provisions.

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the applicable prevailing wage rates per the Director of Industrial Relations for similar classifications of labor, the Contractor and its subcontractors shall pay not less than the higher wage rate.

The rate of compensation for any classification not listed in the schedule, but which may be required to execute the Contract, shall be commensurate and in accordance with the rates specified for similar or comparable classifications or for those performing similar or comparable duties.

The County hereby notifies all Bidders that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit Bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, or national origin in consideration for an award of any contract entered into pursuant to this advertisement.

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL
EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)

The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for Minority
Participation in
Each Trade
28.3%

Goals for Female
Participation in
Each Trade
6.9%

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or Federally assisted) performed in the covered area.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR, Part 60-4, shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR, Part 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the Contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and females evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the Contract, the Executive Order, and the regulations in 41 CFR, Part 60-4. Compliance with the goals will be measured against the total work hours performed.

The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within ten working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the Contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the Contract is to be performed.

As used in this Notice, and in the Contract resulting from this solicitation, the "covered area" is the County of Los Angeles.

The Bid must provide full disclosure of False Claims Act violations, labor law/payroll violations, debarments, and civil/criminal legal actions as provided for on the forms included as part of the Proposal. Failure to complete these forms may result in a determination that the Bidder is nonresponsive and/or not responsible.

The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder; however, the Board of Supervisors reserves the right to reject any and all Bids.

A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible contractors.

The successful Bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the Contract. Failure to comply may be cause for termination of the Contract or initiation of debarment proceedings.

The successful Bidder will be required to submit a faithful performance bond, payment bond, worker's compensation insurance, and liability insurance with the Contract.

As provided for in Section 22300 of the California Public Contract Code, the Contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the Contract, or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such Bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the Bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a esta numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5:30 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated September 20, 2005.

Violet Varona-Lukens
Executive Officer
of the Board of Supervisors

SS:er

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